

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DARRIES SHERRILLS,

Plaintiff,

v.

CASE NO. C2-06-0485

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE MARK R. ABEL

TERRY COLLINS, *et al.*,

Defendants.

ORDER

Plaintiff Darries Sherrills's October 30, 2006 motion to reconsider the Court's October 24, 2006 Order denying him leave to proceed *in forma pauperis* because he has filed three or more frivolous lawsuit and/or appeals, 28 U.S.C. § 1915(g) is DENIED. He has offered no evidence that he has had fewer than three prior lawsuits and/or appeals dismissed as frivolous. He merely asserts again that he is indigent. His status as an indigent does not permit him to proceed *in forma pauperis* because he has had three or more lawsuits and/or appeals dismissed as frivolous. 28 U.S.C. § 1915(g).

Plaintiff is **ORDERED** to pay the \$350 filing fee within thirty (30) days of the date of this Order. Failure to do so will result in this Court dismissing this case for failure to prosecute. *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997).

11-7-2006
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE